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Item 163 of the preliminary list*
Measures to eliminate international terrorism

Letter dated 16 April 2002 from the Secretary-General to the President of the General Assembly

I have the honour to convey the attached communication, dated 9 April 2002, from the Director General of the International Atomic Energy Agency.

I should be grateful if you would have this circulated as a document of the General Assembly, under item 163 of the preliminary list.

(*Signed*) Kofi A. Annan

* A/57/50/Rev.1.

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Annex

[Original: Arabic, Chinese, English
French, Russian and Spanish]

Letter dated 9 April 2002 from the Director General of the International Atomic Energy Agency to the Secretary-General

I refer to the resolution adopted by the General Conference of the International Atomic Energy Agency at its forty-fifth session on 21 September 2001 entitled "Measures against illicit trafficking in nuclear materials and other radioactive materials" (GC(45)/RES/14 A) (see attachment).

In preambular paragraph (g) of that resolution the General Conference noted that the United Nations General Assembly is continuing its elaboration of an international convention on the suppression of acts of nuclear terrorism. In paragraph 8, the General Conference requested me to bring the resolution to the attention of the General Assembly and invited the Assembly, in its continued elaboration of the above-mentioned convention, to bear in mind the Agency's activities in preventing and combating illicit trafficking in nuclear materials and other radioactive materials.

In the light of the above, I would be most grateful if you could arrange for the circulation of the present letter and its attachment as a document of the General Assembly, under item 163 of the preliminary list.

(*Signed*) Mohamed **ElBaradei**

Attachment

International Atomic Energy Agency
GENERAL CONFERENCE

GC

GC(45)/RES/14
September 2001

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Forty-fifth regular session
Item 19 of the agenda
(GC(45)/28)

MEASURES TO IMPROVE THE SECURITY OF NUCLEAR MATERIALS AND OTHER RADIOACTIVE MATERIALS

Resolution adopted on 21 September during the tenth plenary meeting

A.

MEASURES AGAINST ILLICIT TRAFFICKING IN NUCLEAR MATERIALS AND OTHER RADIOACTIVE MATERIALS

The General Conference,

(a) Recalling its resolutions GC(XXXVIII)/RES/15, GC(39)/RES/18, GC(40)/RES/17, GC(41)/RES/17, GC(42)/RES/18, GC(43)/RES/18 and GC(44)/RES/20 on measures against illicit trafficking in nuclear materials and other radioactive materials,

(b) Noting the programme for preventing and combating illicit trafficking in nuclear material agreed upon by the participants in the Moscow Nuclear Summit of April 1996 contained in document INFCIRC/509,

(c) Welcoming the confirmation of participants at the Denver Summit of June 1997 on their commitment to implement the "Programme for Prevention and Combating Illicit Trafficking in Nuclear Materials",

(d) Noting that revised Recommendations for the Physical Protection of Nuclear Materials and Nuclear Facilities (INFCIRC/225/Rev. 4 (Corrected)) were issued after intensive consultations by Member States' and Agency experts and that some Member States have started to implement them on a voluntary basis,

(e) Noting also the contribution of Agency safeguards agreements and additional protocols to preventing illicit trafficking, deterring and detecting diversion of nuclear materials,

(f) Noting with appreciation that the Agency, in co-operation with the World Customs Organization, the International Criminal Police Organization (Interpol) and Europol, organized the International Conference on Security of Materials - Measures to Prevent, Intercept and Respond to Illicit Uses of Nuclear Material and Radioactive

Sources, in Stockholm, Sweden, from 7 to 11 May 2001, the results of which provided important input to the further development of the Agency's plan of activities in this field, and

(g) Noting further that the UN General Assembly (UNGA) is continuing its elaboration of an international convention on the suppression of acts of nuclear terrorism (UNGA resolution 51/210 of 17 December 1996),

1. Takes note of the progress report submitted by the Secretariat in document GC(45)/20, welcomes the efforts made so far in connection with the plan of activities attached to that report and looks forward to continuing achievements in this field;

2. Welcomes the ongoing activities in the fields of prevention, detection and response undertaken by the Secretariat in support of efforts against illicit trafficking;

3. Also welcomes the activities undertaken to provide for an exchange of information with Member States, including continued maintenance of the illicit trafficking database programme, as well as to improve the exchange of information by making the best use of the modernized database;

4. Invites all States to participate in the illicit trafficking database programme on a voluntary basis;

5. Appeals to States that have not yet done so to accede to the Convention on the Physical Protection of Nuclear Material, and also appeals to States to apply relevant physical protection recommendations and introduce and enforce appropriate measures and legislation to combat illicit trafficking in nuclear materials and other radioactive materials;

6. Invites the Director General to continue to develop, in consultation and co-ordination with Member States and within available resources, the plan in document GC(45)/20 describing the future activities to be undertaken in these areas and the time schedule for their implementation;

7. Requests the Director General to submit a report to the General Conference at its forty-seventh session on activities undertaken by the Agency in the intervening period; and

8. Requests the Director General to bring the present resolution to the attention of the UN General Assembly and invites the UN General Assembly, in its continued elaboration of an international convention on the suppression of acts of nuclear terrorism, to bear in mind the Agency's activities in preventing and combating illicit trafficking in nuclear materials and other radioactive materials.

B.

THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL AND NUCLEAR FACILITIES

The General Conference,

(a) Noting the importance of physical protection in preventing the unauthorized removal of nuclear material and the sabotage of nuclear facilities and nuclear materials by individuals or groups,

(b) Recognizing the importance of promoting an effective security culture in the field of physical protection of nuclear material and nuclear facilities,

(c) Considering the need to continue to devote attention to the potential implications of terrorist acts for the physical protection of nuclear material and nuclear facilities;

(d) Noting also that responsibility for the design, implementation and regulation of a system of physical protection within a State rests entirely with that State,

(e) Welcoming the Agency's programmes of training, guidance and technical assistance, which assists States in establishing systems of physical protection appropriate to their circumstances,

(f) Noting the revision of document INFCIRC/225 and of its associated guidance documents,

(g) Welcoming the report of the Informal Open-Ended Expert Meeting to Discuss Whether there is a Need to Revise the Convention on the Physical Protection of Nuclear Material,

(h) Taking note of the progress report submitted by the Secretariat in document GC(45)/20, welcoming the efforts made so far in connection with the plan of activities attached to that report and looking forward to continuing achievements in this field,

(i) Recalling its resolution GC(44)RES/20 on Measures against Illicit Trafficking in Nuclear Materials and other Radioactive Sources, and

(j) Emphasizing that any decision on the amendment to the Convention on the Physical Protection of Nuclear Material should encourage Member States to become parties to the Convention,

1. Welcomes the endorsement by the Board of Governors of the Physical Protection Objectives and Fundamental Principles referred to in document GC(45)/INF/14;

2. Encourages States to apply the Fundamental Principles in designing, implementing and regulating their national systems for the physical protection of nuclear material and nuclear facilities used for peaceful purposes;

3. Welcomes the decision of the Director General to convene an open-ended group of legal and technical experts in order to prepare a draft of a well-defined amendment (as referred to in paragraph 5 of document GOV/2001/41) aimed at strengthening the Convention on the Physical Protection of Nuclear Material and to be subsequently reviewed by the States Parties with a view to determining whether to submit the amendment in accordance with Article 20 of the Convention;

4. Notes the decision of the Director General to consider, among other alternatives, establishing a Programme Advisory Group on Security which would meet a perceived need for the Agency to seek and receive advice from Member States' experts in a more systematic manner;

5. Requests the Director General to review thoroughly the activities and programmes of the Agency with a view to strengthening the Agency work relevant to preventing acts of terrorism involving nuclear materials and other radioactive materials and to report to the Board of Governors as soon as possible, and urges all Member States to co-operate fully with the Director General and to support the Agency's efforts in this regard; and

6. Appeals to all States that have not yet done so to accede to the Convention on the Physical Protection of Nuclear Material.